



TRANSMITTAL FORM

Application No.: 10/786,965
Filing Date: February 25, 2004
First Named Inventor: Dan Aharoni
Confirmation No.: 4123
Group Art Unit: 2128
Examiner: Patel, Shambhavi K
Customer No.: 73901

Total Number of Pages in this Submission:

12

Docket No.

EMC-02-132CIP1

ENCLOSURES (check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Authorization for the Commissioner to charge Deposit Account No. _____ for fees associated with this transaction (in duplicate) | <input type="checkbox"/> Response to Notice to File Missing Parts of Nonprovisional Application | <input type="checkbox"/> Petition for Revival of an Unintentionally Abandoned Application [37 CFR 1.137(b)] |
| <input checked="" type="checkbox"/> Amendment/Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/Decl. | <input type="checkbox"/> Declaration/Power of Attorney | <input type="checkbox"/> Express Abandonment Request |
| <input type="checkbox"/> Extension of Time Request for 3 Months | <input type="checkbox"/> Copy of Notice to File Missing Parts of Nonprovisional Application | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Revocation of Power of Attorney | <input type="checkbox"/> Certificate of First Class Mailing |
| <input type="checkbox"/> Assignment | <input type="checkbox"/> Fee Transmittal FY 2006 (in duplicate) | <input type="checkbox"/> Certificate of Express Mail Mailing |
| <input type="checkbox"/> Recordation Cover Sheet | <input type="checkbox"/> Formal Drawings, labeled | <input checked="" type="checkbox"/> Postcard |
| <input type="checkbox"/> Request to Correct Notice of Recordation of Assignment | <input type="checkbox"/> Letter/Transmittal to Official Draftsperson | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Copy of PTO 948, "Notice of Draftsperson's Patent Review Status Inquiry" | |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

9/27/07
Date: September 27, 2007

Carl A. Giordano, Esq. (Reg. No. 41,780)
Law Office of Carl Giordano, PA
210 Route 4 East, Suite 103
Paramus, New Jersey 07652

Tel: (201) 421 0865

Fax: (201) 226 9246

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8]

I hereby certify that this correspondence and above-referenced enclosures are being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703)

9/27/07
Date: September 27, 2007

Signature

Carl A. Giordano

Typed or printed name of person signing certificate



PATENT
EMC-02-132CIP1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Aharoni, et al	GROUP ART UNIT:	2128
U.S.S.N.:	10/786,965	EXAMINER:	Patel, Shambhavi K
FILING DATE:	February 25, 2004	CUSTOMER NO.	73901
TITLE:	SYSTEM AND METHOD FOR SIMULATING PERFORMANCE OF ONE OR MORE DATA STORAGE SYSTEMS WITH UTILIZATION INPUT		

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 27, 2007.

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

This is in response to the Office Action mailed June 27, 2007.

No fees are believed necessary for the filing of this amendment.

September 2007

level of performance and optimizing individually front end and back end performance of each of said one or more data storage system..

2. (Original) The method of claim 1, and further comprising performing a storage management function after performing the step of simulating performance on the one or more data storage systems.

3. (Original) The method of claim 2, wherein the storage management function is a performance modeling function.

4. (Original) The method of claim 2, wherein the storage management function is a storage capacity planning function.

5. (Original) The method of claim 2, wherein the storage management function is a consolidation of one or more data storage systems that may be denominated as one or more source data storage systems into one other data storage system that may be denominated as a target data storage system.

6. (Previously presented) The method of claim 5, wherein the one or more source data storage systems or the target data storage system is configured to be load balanced in accordance with information yielded from the step of simulating performance on the one or more data storage systems.